IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8711 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE J.M.PANCHAL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PADRA NAGAR PALIKA

Versus

HEMANT S JAISWAL

Appearance:

1. Special Civil Application No. 8711 of 1991

MS SEJAL SUTARIA for MR VH DESAI for Petitioner No. 1

MR HD VASAVADA for Respondent No. 1

CORAM : MR.JUSTICE J.M.PANCHAL

Date of decision: 01/10/2002

ORAL JUDGEMENT

#. By filing this petition under Article 227 of the Constitution of India, the petitioner has prayed to issue

a writ of Certiorari or any other appropriate writ, order or direction, to quash and set aside the order dated January 8, 1990, passed by the Gujarat Higher Secondary Schools Services Tribunal at Ahmedabad, in Application No.78 of 1990, by which the petitioners are directed to pay amount of salary due to the respondent. The petitioners have also prayed to set aside the order dated October 29, 1991, passed by the Gujarat Higher Secondary Schools Services Tribunal at Ahmedabad, passed in Review Application No.22 of 1991 by which the Tribunal refused to review its orer dated January 8, 1990, rendered in Application No.78 of 1990.

#. As recorded by the learned Single Judge of this Court in order dated May 2, 2002, passed in Special Civil Application No.3215 of 2001, the petitioners have paid subsistence allowance to the respondent. The learned counsel for the parties have agreed and stated that the amount due to the respondent has been paid by the petitioners till order dated July 13, 1992, by which the respondent was dismissed from service and, therefore, the instant petition having become infructuous, should be disposed of accordingly.

#. For the foregoing reasons, the petition fails and is dismissed. Rule is discharged with no order as to costs. The petition stands disposed of as having become infructuous.

(J.M.Panchal, J.)

(sunil)